

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
COURT FILE NO.: 12-cv-915 JNE/TNL**

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Brian F. Hupperts, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

APOGEE Retail, LLC d/b/a Unique  
Thrift Store, Valu Thrift Store, Unique,  
and Value Village; Apogee Retail NY  
LLC d/b/a Unique and Unique Thrift  
Store; and Apogee NY, LLC d/b/a  
Unique Thrift Store, Value Village and  
Unique,

Defendants.

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**PLAINTIFF'S UNOPPOSED  
MOTION FOR PRELIMINARY  
APPROVAL OF CLASS ACTION  
SETTLEMENT**

Plaintiff Brian F. Hupperts, on behalf of himself and all others similarly situated, by and through his attorney of record, pursuant to Federal Rule of Civil Procedure 23, respectfully moves this Court for an Order granting preliminary approval of a class action settlement of all claims, and entry of a final judgment, in accordance with the terms set forth more fully in the Stipulation of Settlement.

Respectfully Submitted,

Dated this 11th day of March, 2013.

By: s/Thomas J. Lyons Jr.  
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